

PATENT
Atty. Docket No. ASC-057C1
(120237/156702)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Hammond *et al.* CONFIRMATION NO. 2980
SERIAL NUMBER: 10/797,231 GROUP NO. 2812
FILING DATE: March 10, 2004 EXAMINER: Ghyka, Alexander G.
TITLE: METHOD OF SELECTIVE REMOVAL OF SiGe ALLOYS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTIVE ENTITY
UNDER 37 C.F.R. § 1.48(a)**

1. This is an amendment and request to: (check each applicable item)

☒ correct under 37 C.F.R. § 1.48(a) the inventive entity set forth by error in a previously executed oath or declaration under 37 C.F.R. § 1.63.

and/or

☐ delete inventor(s) under 37 C.F.R. § 1.48(b) for subject matter no longer claimed.

and/or

☐ add inventor(s) for subject matter disclosed in the application but previously unclaimed under 37 C.F.R. § 1.48(c).

2. Applicants request that, in view of statements herein and/or attachments provided herewith, the below-named inventor be added to the inventive entity for this application as filed on March 10, 2004.

(please check and complete all applicable items)

☒ The person to be added as an inventor of this application is:

Eugene A. Fitzgerald

☐ The inventor to be deleted from this application is:

3 Fee Payment (37 C.F.R. §1.17(i))

The fee required for consideration of this petition is paid as follows (also see Fee Transmittal):

☒ Enclosed is a check in the amount of \$130.00 to cover the processing fees under 37 C.F.R. §1.48(a) as set forth in 37 C.F.R. §1.17(i).

11/28/2005 HGUETHA1 00000010 10797231

130.00 DP

02 FC:1464

☒ Charge Account 07-1700 for any fee deficiency.

☐ Charge Account 07-1700 the sum of \$130.00.

4 Amendment of Inventive Entity.

Please add Eugene A. Fitzgerald to the inventive entity.

5 Attachments:


- (1) A statement from Eugene A. Fitzgerald that the error in inventorship occurred without deceptive intent on his part, as required by 37 CFR §1.48(a)(2);
- (2) A declaration by Richard Hammond, Matthew Currie, and Eugene A. Fitzgerald, as required by 37 CFR §1.48(a)(3);
- (3) The processing fee of \$130.00, as set forth in 37 CFR §1.17(i); and
- (4) The written consent of the assignee as required by 37 CFR §1.48(a)(5).
- (5) A statement from the assignee under 37 CFR §3.73(b).

If, for any reason, this Amendment is found not to comply with the requirements of 37 C.F.R. §1.48(a), or is otherwise found improper, it is requested that the undersigned attorney/agent be contacted by telephone.

Respectfully Submitted,

Date: November 22, 2005

Tel. No.: (617) 570-1013
Fax No.: (617) 523-1231



Mark L. Beloborodov, Reg. No. 50,773
Attorney for Applicants
Goodwin Procter LLP
Exchange Place
Boston, MA 02109
Customer No. 07-1700



PATENT
Attorney Docket No. ASC-057C1
(120237/156702)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Hammond *et al.*
SERIAL NUMBER: 10/797,231 GROUP ART UNIT: 2812
FILING DATE: March 10, 2004 EXAMINER: Ghyka, Alexander G.
TITLE: METHOD OF SELECTIVE REMOVAL OF SiGe ALLOYS

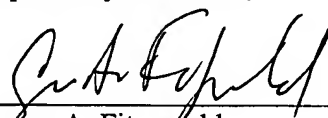
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FROM PERSON BEING ADDED AS AN INVENTOR
UNDER 37 C.F.R. § 1.48(a)

1. I am providing this statement to support the correction of inventorship for the above-identified patent application.
2. I am being added as an inventor for the above-identified patent application, and I state that the inventorship error occurred without any deceptive intention on my part.

Respectfully submitted,

Date: Nov. 16, 2005



Eugene A. Fitzgerald



PATENT
Attorney Docket No. ASC-057C1
(120237/156702)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Hammond *et al.*

SERIAL NUMBER: 10/797,231

GROUP ART UNIT: 2812

FILING DATE: March 10, 2004

EXAMINER: Ghyka, Alexander G.

TITLE: METHOD OF SELECTIVE REMOVAL OF SiGe ALLOYS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FROM ASSIGNEE UNDER 37 C.F.R. § 1.48(a)(5)

1. AmberWave Systems Corporation is the owner of United States Application Serial No. 10/797,231 as evidenced by the copy of the executed Assignment submitted herewith.
2. AmberWave Systems Corporation is providing this statement to support the correction of inventorship for the above-identified patent application.
3. Eugene A. Fitzgerald is being added as an inventor for the above-identified patent application, and AmberWave Systems Corporation consents to Eugene A. Fitzgerald being added as an inventor.

Date: 11/15/05

Respectfully submitted,

Bryan P. Lord, Esq., Vice President of
Corporate Development and Administration
AmberWave Systems Corporation

ASSIGNMENT

WHEREAS, I, Eugene A. Fitzgerald, along with Richard Hammond and Matthew Currie, have invented one or more inventions described in applications for Letters Patent of the United States entitled:

METHOD OF SELECTIVE REMOVAL OF SiGe ALLOYS

and identified by Serial No. 10/172,542 filed in the United States Patent Office on June 14, 2002, and

and identified by Serial No. 10/797,231 filed in the United States Patent Office on March 10, 2004; and

WHEREAS, AmberWave Systems Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 13 Garabedian Drive, Salem, New Hampshire 03079, desires to acquire an interest therein, in accordance with agreements duly entered into with me;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, my entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the invention(s) described in said applications, together with my entire right, title and interest in and to said applications and such Letters Patents as may issue thereon or claim priority under United States law or international convention, including but not limited to non-provisionals, continuations, continuations-in-part, divisionals, reissues, reexaminations, extensions, and substitutions of said applications or such Letters Patent, and any right, title and interest I may have in provisional applications to which said application claims priority; said invention(s), applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made; I hereby convey all of my rights arising under or pursuant to any and all United States laws and international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent, including but not limited to any cause(s) of action and damages accruing prior to this assignment. I hereby acknowledge that this assignment, being of my entire right, title and interest in and to said invention(s), carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patents to ASSIGNEE in its own name as assignee of my entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention(s) to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including the execution of non-provisional, substitution, continuation, continuation-in-part, divisional, reissue, reexamination, or corresponding foreign or international patent applications;

AND, I hereby further agree to provide statements or testimony in any interference or other proceeding in which said invention(s) or any application or patent directed thereto may be involved;

AND, I do hereby authorize and request the Director of the United States Patent and Trademark Office and the empowered officials of all other governments to issue such Letters Patent as shall be granted upon said applications, or applications based thereon, to said ASSIGNEE, its successors, assigns, or legal representatives.

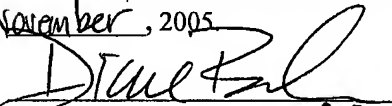
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal on the date set forth below.

Inventor:


Eugene A. Fitzgerald

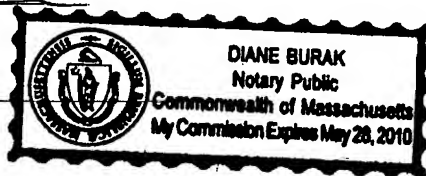
Commonwealth of Massachusetts)
County of Essex) ss

Subscribed and sworn to before me, by the above-named Eugene A. Fitzgerald this 16th day of November, 2005.


Signature of Notary

(Seal)

My Commission Expires: _____



ASSIGNMENT

WHEREAS, We, Richard Hammond and Matthew Currie, have invented one or more inventions described in an application (or provisional application) for Letters Patent of the United States entitled:

METHOD OF SELECTIVE REMOVAL OF SiGe ALLOYS

and identified by

- ☒ Attorney Docket No. ASC-057, and;
- ☒ Serial No. 10/172,542 filed in the United States Patent Office on June 14, 2002; and

WHEREAS, AmberWave Systems Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of Delaware, and having a usual place of business at 13 Garabedian Drive, Salem, NH 03079, desires to acquire an interest therein, in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the invention(s) described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under United States law or international convention, including but not limited to non-provisionals, continuations, divisionals, reissues, reexaminations, extensions, and substitutions of said application or such Letters Patent, and any right, title and interest we may have in provisional applications to which said application claims priority; said invention(s), applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all United States laws and international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent, including but not limited to any cause(s) of action and damages accruing prior to this assignment. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention(s), carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE in its own name as assignee of our entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention(s) to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including the execution of non-provisional, substitution, continuation, divisional, reissue, reexamination, or corresponding foreign or international patent applications;

AND, we hereby further agree to provide statements or testimony in any interference or other proceeding in which said invention(s) or any application or patent directed thereto may be involved;

AND, we hereby authorize ASSIGNEE or its attorneys or agents to insert the correct serial number and filing date into this assignment, if none is indicated on the date of our execution of this assignment;

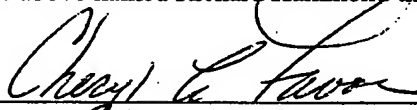
AND, we hereby authorize and request the Director of the United States Patent and Trademark Office to issue such Letters Patent as shall be granted upon said application, or applications based thereon, to said ASSIGNEE, its successors, assigns, or legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals on the date(s) set forth below.

Inventor: 
Richard Hammond

Commonwealth of Massachusetts)
County of Essex) ss

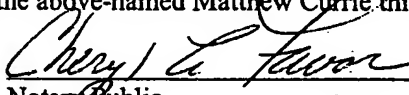
Subscribed and sworn to before me, by the above-named Richard Hammond this 13th day of December, 2002.


Notary Public
My Commission Expires: 10/15/2009

Inventor: 
Matthew Currie

Commonwealth of Massachusetts)
County of Essex) ss

Subscribed and sworn to before me, by the above-named Matthew Currie this 13th day of December, 2002.


Notary Public
My Commission Expires: 10/15/2009



DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration Submitted with Submitted after Initial Initial Filing Filing (surcharge 37 CFR 1.16(e) required)	Attorney Docket No.	ASC-057C1
	First Named Inventor	Hammond
	COMPLETE IF KNOWN	
	Application Serial Number	10/797,231
	Filing Date	March 10, 2004
	Group Art Unit	2812
	Examiner Name	Ghyka, Alexander G.

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of Selective Removal of SiGe Alloys

(Title of the Invention)

the specification of which

☐ is attached hereto
OR
☒ was filed on

March 10, 2004

 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number

10/797,231

 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.
60/298,153	June 14, 2001	



Declaration and Power of Attorney for Utility or Design Patent Application

Serial No. 10/797,231

Atty. Docket No. ASC-057C1

Page 2 of 3

Declaration and Power of Attorney for Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
10/172,542	June 14, 2002	6,900,094

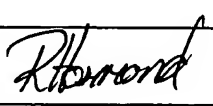
☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

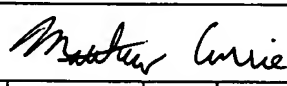
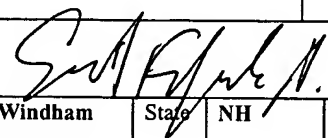
As a named inventor, I hereby appoint the registered patent practitioners associated with the following Customer Number as my/our attorney(s) and/or agent(s) to prosecute the above-identified patent application and any applications claiming priority thereto, and to transact all business in the United States Patent and Trademark Office connected therewith. I acknowledge that the list of registered patent practitioners associated with the Customer Number may be amended from time to time. In the event that I assign or am under an obligation to assign my entire right, title and interest in the above-identified patent application and the invention(s) disclosed therein to another ("Assignee(s)"), I hereby acknowledge that I relinquish my right to revoke this Power of Attorney. Further, I hereby authorize the registered patent practitioners associated with the following Customer Number to accept and follow instructions from the Assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application or any application claiming priority thereto without direct communication between the registered patent practitioner(s) and me.

CUSTOMER NUMBER 051414

Please direct all correspondence for the above-identified patent application to the address associated with the above Customer Number.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Richard					Hammond				
Inventor's Signature						Date	11/16/05		
Residence	City	Harriseahead	County	Staffordshire	Country	England	Citizenship	UK	
Mailing Address	55 Sands Road								
Mailing Address (In. 2)	City	Harriseahead	County	Staffordshire	ZIP	ST7 4JZ	Country	England	
<input checked="" type="checkbox"/> Additional inventors are named on the next page.									
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.									

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Matthew T.				Currie			
Inventor's Signature						Date	11/16/05
Residence	City	Brookline	State	MA	Country	USA	Citizenship
Mailing Address	7 Regent Circle #4						
Mailing Address (ln. 2)	City	Brookline	State	MA	ZIP	02445	Country
						USA	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Eugene A.				Fitzgerald			
Inventor's Signature						Date	Nov. 16, 2005
Residence	City	Windham	State	NH	Country	USA	Citizenship
Mailing Address	7 Camelot Road						
Mailing Address (ln. 2)	City	Windham	State	NH	ZIP	03087	Country
						USA	